

City Clerk File No. Ord. 19-007

Agenda No. 3.A 1st Reading

Agenda No. 4.A 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-007

TITLE: AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY, AS
TENANT, TO EXTEND FOR A ONE YEAR TERM A LEASE
AGREEMENT WITH 18 ASH STREET REALTY, LLC, AS
LANDLORD, FOR SPACE LOCATED AT 46 STATE STREET, JERSEY
CITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (ACity@) needed storage space for equipment used by the City's Fire and Emergency Services Unit; and

WHEREAS, Ordinance 11-015, adopted on February 9, 2011, authorized a five year lease agreement with 18 Ash Street Realty, LLC ("Landlord") to lease to the City approximately 6,000 square feet of space located at 46 State Street, Jersey City; and

WHEREAS, the lease term began on January 1, 2011; and

WHEREAS, the lease provided the City with options to extend the lease for up to two additional one year terms which the City exercised; and

WHEREAS, the City continued to need storage space for the Fire Department's equipment and Ordinance 18-005, adopted on February 14, 2018, authorized a one year extension of the lease effective January 1, 2018; and

WHEREAS, the City continues to need storage space for the Fire Department's equipment and desires to extend the lease for one additional year effective as of January 1, 2019 and the Landlord agrees to this lease extension; and

WHEREAS, the monthly base rent will be \$5,500.00 or \$66,000.00 annually plus the sum of \$8,648.24 which is forty percent of the 2019 real property taxes of \$21,620.64 for the building at 46 State Street; and

WHEREAS, the total monthly rent including the property tax payment will be \$6,220.69; and

WHEREAS, funds in the amount of \$74,648.28 are available in
Account no. 17 289 56 000 002 ; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance, acquire property by lease;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Jersey City that:

- 1) Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the attached Lease Agreement Extension with 18 Ash Street Realty, LLC for space at 46 State Street;

- 2) The term of the Lease Agreement Extension is one year effective as of January 1, 2019 and ending on December 31, 2019; and
- 3) The total annual rent shall not exceed the sum of \$74,648.28 and shall be payable in 12 equal installments of \$6,220.69 payable on the first day of each month.

I _____, Donna Mauer Chief Financial Officer hereby certify that funds in the amount of \$74,648.28 are available in Account no. 17 289 56 000 002.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. The ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

RR
1-8-19

William O'Donnell
William O'Donnell
Department of Public Safety

APPROVED AS TO LEGAL FORM

William O'Donnell
Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION/ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY, AS TENANT, TO EXTEND FOR A ONE YEAR TERM A LEASE AGREEMENT WITH 18 ASH STREET REALTY, LLC, AS LANDLORD FOR SPACE LOCATED AT 46 STATE STREET, JERSEY CITY

Initiator

Department/Division	Department of Public Safety	Division of Fire
Name/Title	Steven McGill	Chief of the Department
Phone/email	201-547-4262	sjmcgill@njcps.org

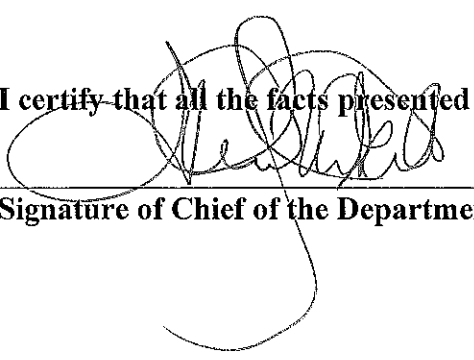
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The Fire Department and the Office of Emergency Management have received a number of vehicles and large stockpiles of Homeland Security equipment.

The lease of this building is necessary to store and secure the vehicles and equipment because space is not available in the current city buildings.

I certify that all the facts presented herein are accurate.


Signature of Chief of the Department


Date

LEASE AGREEMENT EXTENSION

This Lease Agreement Extension made this _____ day of _____, 2019 between the City of Jersey City, City Hall, 280 Grove Street, Jersey City, New Jersey, a municipal corporation of the State of New Jersey ("City" or "Tenant"), and 18 Ash Street, LLC, having an address at 18 Ash Street, Jersey City, New Jersey ("Landlord").

WHEREAS, the City needed storage space for equipment used by the City's Fire and Emergency Services Unit; and

WHEREAS, Ordinance 11-015, adopted on February 9, 2011, authorized a five year lease agreement with the Landlord to lease to the City approximately 6,000 square feet of space located at 46 State Street, Jersey City for a term beginning on January 1, 2011 and ending on December 31, 2015; and

WHEREAS, the lease provided the City with options to extend the lease for up to two additional one year terms which the City exercised; and

WHEREAS, the City continued to need storage space for the Fire Department's equipment and Ordinance 18-005, adopted on February 14, 2018, authorized a one year extension of the lease effective January 1, 2018; and

WHEREAS, the City continues to need storage space for the Fire Department's equipment and desires to extend the lease for one additional year effective as of January 1, 2019 and the Landlord agrees to this lease extension; and

WHEREAS, the monthly base rent will be \$5,500.00 or \$66,000.00 annually plus the sum of \$8,648.24 which is forty percent of the 2019 real property taxes of \$21,620.64 for the building at 46 State Street; and

WHEREAS, the total monthly rent including the property tax payment will be \$6,220.69.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

- 1) The City's Lease Agreement with the Landlord is extended for one year effective as of January 1, 2019 and ending on December 31, 2019.
- 2) The total annual rent is \$74,648.28 and shall be payable in 12 equal installments of \$6,220.69 payable on the first day of each month.

- 3) All other terms, covenants, conditions, rights and liabilities of the parties as set forth in the Lease Agreement dated January 1, 2011 shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Jersey City, by its Mayor or Business Administrator and 18 Ash Street, LLC by an authorized representative, have executed this Lease Agreement Extension and affixed their corporate seals thereto the day, month and year first above written.

City of Jersey City

Attest: _____
Robert Byrne
City Clerk

Brian Platt
Business Administrator

18 Ash Street, LLC

Witness: _____

RR
1-8-19

18 Ash Street Realty
44-46 State Street
Jersey City, NJ 07304

Phone (201) 432-4500

Fax (201) 432-4951

November 20, 2018

Fire Headquarters
465 Marin Boulevard
Jersey City, NJ 07302
Attn: Mr. Jerome Cala

RE: Property Address - 46 State Street, Jersey City, NJ

Gentlemen,

As per our discussion we proposed a one year extension for the above referenced property at a rate of \$5,500 per month.

The taxes will remain at 40% of the total taxes which is approximately \$2,162.06 a quarter.

Please contact my office if you have any questions.

Sincerely,

18 ASH STREET REALTY

Peter J. Gargiulo

Peter J. Gargiulo
Managing Member

PROPERTY IDENTIFICATION

BLOCK NUMBER 15403 LOT NUMBER 29 QUALIFICATION
 PROPERTY LOCATION 46 STATE ST.
 ADDITIONAL LOTS
 BUILDING DESC. 1S-B-WAREHOUSE
 LAND DIMENSION 150X99.85

4TH QTR BILLED NOV. 1, 2018 3RD QTR BILLED AUG. 1, 2018
 7,161.87 7,161.87
 1ST QTR BILLED FEB. 1, 2019 2ND QTR BILLED MAY 1, 2019
 5,405.16 5,405.16
 TAX ACCOUNT 379172 BANK CODE 1246 MORTGAGE ACCT. NO. BILL NUMBER 15049

18 ASH STREET REALTY, L.L.C.
 OR CURRENT OWNER
 44-46 STATE ST
 JERSEY CITY, N.J. 07304

View or Pay your account online at:
 TAXES.CITYOFJERSEYCITY.COM

DISTRIBUTION OF TAXES

COUNTY TAX	.4000	5,812.0
DISTRICT SCHOOL TAX	.3510	5,100.0
LOCAL SCHOOL TAX	.0090	130.7
COUNTY OPEN SPACE	.0100	145.3
MUNICIPAL TAX	.6890	10,011.1
MUNICIPAL LIBRARY	.0270	392.3
MUNICIPAL OPEN SPACE	.0020	29.0

LAND	602,900	1.4880	GROSS TAX	21,620.6
IMPROVEMENT	850,100		DEDUCTION	.00
TOTAL	1,453,000		NET TAX	21,620.6
EXEMPTIONS	0		FIRST HALF BILLED	7,296.90
NET TAXABLE	1,453,000		BALANCE DUE	14,323.7
			PRELIMINARY 2019 TAX	10,810.3

State Aid Used to Offset Local Property Taxes: The budgets of the government agencies funded by this tax bill include State aid used to reduce property taxes. State aid offset information for current year municipal tax bills will start becoming available at the end of July. Access the Division of Local Government Services' website at http://www.nj.gov/dca/divisions/dlgs/resources/property_tax.html to find (based on the assessed value of this parcel) the amount of State aid used to offset property taxes on this parcel.

ADDITIONAL INFORMATION

PLEASE MAKE CHECKS PAYABLE TO:
 CITY OF JERSEY CITY

Office Hours: 8:30 AM to 4:30 PM Mon. thru Fri. 201-547-5124

MAIL CURRENT PAYMENTS ONLY TO:
 Taxes, City of Jersey City
 P.O. BOX 2025
 Jersey City, N.J. 07302

MAIL DELINQUENT PAYMENTS TO:
 Tax Collector
 280 Grove Street Room #101
 Jersey City, N.J. 07302

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

FLOOD INSURANCE: If your municipality is eligible for flood insurance, you are hereby advised that residents may purchase Federal Flood Insurance. Failure to purchase such insurance by a property owner will result in denial of Federal Disaster Assistance to any such owner in any amount equivalent to that which could have been covered by Federal Flood Insurance. N.J.S.A. 54:4-64. 1. Information on eligibility can be obtained from the Office of the Construction Official for Flood Zone confirmations

City Hall will be closed on the following holidays in 2018, September 3, October 8, November 6, 12, 22 & 23, December 25, 2018. In 2019 January 1, 21, February 12, 18, April 19, May 28.

TAX SALE INFORMATION: The Tax Sale for unpaid 2018 charges is scheduled for December 17, 2018.

DETACH AND MAIL THIS STUB WITH PAYMENT TO:
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

2019 2ND QUARTER TAX DUE MAY 1, 2019

BLOCK NUMBER 15403	LOT NUMBER 29	QUALIFICATION	BANK CODE 1246
TAX ACCOUNT 379172	BILL NUMBER 15,049	BILLED 5,405.16	
		ADJUSTED .00	
		TOTAL DUE 5,405.16	

18 ASH STREET REALTY, L.L.C.
 46 STATE ST.

* THIS IS NOT A BILL - ADVICE COPY ONLY *



DETACH AND MAIL THIS STUB WITH PAYMENT TO:
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

2019 1ST QUARTER TAX DUE FEBRUARY 1, 2019

BLOCK NUMBER 15403	LOT NUMBER 29	QUALIFICATION	BANK CODE 1246
TAX ACCOUNT 379172	BILL NUMBER 15,049	BILLED 5,405.16	
		ADJUSTED .00	
		TOTAL DUE 5,405.16	

18 ASH STREET REALTY, L.L.C.
 46 STATE ST.

* THIS IS NOT A BILL - ADVICE COPY ONLY *



DETACH AND MAIL THIS STUB WITH PAYMENT TO:
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

DETACH AND MAIL THIS STUB WITH PAYMENT TO:
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. _____ Ord. 19-007
TITLE: _____ 3.A JAN 24 2019 4.A FEB 14 2019

An ordinance authorizing the City of Jersey City, as tenant to extend for a one year term a lease agreement with 18 Ash Street Realty, LLC., as landlord for space located at 46 State Street, Jersey City.

RECORD OF COUNCIL VOTE ON INTRODUCTION JAN 24 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 14 2019 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>RIDLEY</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 14 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 24 2019
FEB 14 2019
Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 14 2019

Robert Byrnes
Robert Byrnes, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date FEB 14 2019

APPROVED:

Steven M. Fulop, Mayor
Date FEB 19 2019

Date to Mayor FEB 15 2019

City Clerk File No. Ord. 19-008

Agenda No. 3.B 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-008

TITLE: ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 22502, LOTS 36 AND 37, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 347-349 AND 351-355 MARTIN LUTHER KING DRIVE, RESPECTIVELY, FROM THE JERSEY CITY REDEVELOPMENT AGENCY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the Jersey City Redevelopment Agency (JCRA) is the owner of certain property designated on Jersey City's Official Tax Assessment Map as Block 22502, Lots 36 and 37, more commonly known by the street addresses of 347-349 and 351-355 Martin Luther King Drive (Property), which property is located within the Jackson Hill Redevelopment Plan Area; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, the City of Jersey City (City) designated certain parcels known as the Jackson Hill Redevelopment Area (Redevelopment Area) as an area in need of redevelopment and adopted the Jackson Hill Redevelopment Plan (Redevelopment Plan) in order to effectuate the redevelopment of the Redevelopment Area; and

WHEREAS, the City and the JCRA wish to work collaboratively and have entered into a Cooperation Agreement in order to improve the Property so that it may be used for pop-up markets and other activities for the benefit of the resident of the Redevelopment Area and the City as a whole; and

WHEREAS, the City and the JCRA both agree that the Project will now be best served by transferring ownership of the Property from the JCRA to the City; and

WHEREAS, by the adoption of Resolution No. 18-11-9 adopted at their regular meeting of November 28, 2018, the Jersey City Redevelopment Agency Board of Commissioners authorized the conveyance of the Property to the City; and

WHEREAS, the JCRA is authorized to convey Property to the City of Jersey City pursuant to N.J.S.A. 40A:12A-8 and 22; and

WHEREAS, the City of Jersey City is authorized to acquire Property from the JCRA with or without consideration pursuant to N.J.S.A. 40A:12A-39(a) and N.J.S.A. 40A:12-13(b)(1); and

WHEREAS, the City is authorized to aid and cooperate with the JCRA in the implementation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.


NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City

that:
APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 22502, LOTS 36 AND 37, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 347-349 AND 351-355 MARTIN LUTHER KING DRIVE, RESPECTIVELY, FROM THE JERSEY CITY REDEVELOPMENT AGENCY

1. The Business Administrator is authorized to acquire title to Block 22502, Lots 36 and 37 from the JCRA.
 2. The Business Administrator or Corporation Counsel, as appropriate, is authorized to accept delivery of and record a deed from the JCRA and execute any other documents appropriate or necessary to effectuate the purposes of this Ordinance.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner provided by law.
- D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: 16
Business Administrator

Certification Required ☐

Not Required ☐

Prepared by: _____
Diana H. Jeffrey, Esq.
Executive Director

This Indenture

Made the _____ day of _____ in the year Two Thousand _____

Between the **JERSEY CITY REDEVELOPMENT AGENCY**, a public corporation of the State of New Jersey with offices at 66 York Street, Jersey City, New Jersey 07302, party of the first part;

And **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302, in the County of Hudson and State of New Jersey, party of the second part:

Witnesseth, That the said party of the first part, for and in consideration of the sum of **\$1.00 (One Dollar)**

"This being a conveyance to a Political Agency in accordance with N.J.S.A. 40A: 12-21(k)."

\$1.00 Dollars, lawful money of the United States of America, to it in hand well and truly paid by the said party of the second part, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and the said party of the first part being therewith fully satisfied, contented and paid, has given, granted, bargained, sold, aliened, released, enfeoffed, conveyed and confirmed, and by these presents does give, grant, bargain, sell, alien, release, enfeoff, convey and confirm unto the said party of the second part, and to the heirs, successors and assigns forever of the said party of the second part,

All that certain tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the City of Jersey City, also known as Block 22502, Lots 36 and 37, in the County of Hudson and State of New Jersey.

This deed is given under and by virtue of Ordinance _____ adopted by the Municipal Council of the City of Jersey City, on _____, 200____ authoring the acquisition by the City of Jersey City, of public lands and buildings with or without consideration, hereinafter listed, in accordance with the provision of Section 40A:12A-39(a) and 40A:12-13(b)(1) and the supplements thereto and amendments thereof, if any, of New Jersey Statutes Annotated.

Together with all and singular the houses, buildings, trees, ways, waters, profits, privileges, and advantages, with the appurtenances of the same belonging or in anywise appertaining:

Also, all the estate, right, title, interest, poverty, claim and demand whatsoever, of the said party of the first part, of, in and to the same, and of, in and to every part and parcel thereof.

State of New Jersey
County of Hudson } ss:

Be it Remembered, That on this _____ day of
Two Thousand _____ before me the subscriber, of Notary Public State of New Jersey
personally appeared

Robert Byrne

and made proof to my satisfaction that he is the City Clerk of the City of Jersey City, a
Municipal Corporation of the State of New Jersey, the Grantor named in the foregoing
Instrument; that he well knows the corporate seal of said corporation; that the seal affixed to said
instrument is the corporate seal of said corporation; that the said seal was so affixed and the said
Instrument signed and delivered by

Steven M. Fulop

who was at the date thereof the Mayor of said municipal corporation, in the presence of this
deponent, and said Mayor, at the same time acknowledged that he signed, sealed and delivered
the same as his voluntary act and deed, and as the voluntary act and deed of said corporation, and
that deponent, at the same time, subscribed his name to said Instrument as an attesting witness to
the executive thereof. The full and actual consideration paid or to be paid for the transfer of title
to realty evidence by the within deed, as such consideration is defined in
P.L. 1968, c 49, Sec. 1 (c), is

\$1.00

*Sworn and subscribed before me,
at Jersey City, N.J. the date}*
aforesaid.

.....

.....
Robert Byrne, City Clerk

ORDINANCE FACT SHEET –

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

AN ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 22502, LOTS 36 AND 37, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 347-349 AND 315-355 MARTIN LUTHER KING DRIVE, PERSPECTIVELY, FROM THE JERSEY CITY REDEVELOPMENT AGENCY

Initiator

Department/Division	Business Administration	
Name/Title	Brian Platt	Business Administrator
Phone/email	201-547-4513	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The property listed here will be the site of a pop up market on Martin Luther King Drive in partnership with the Jackson Hill Main Street Management Corp (Jackson Hill SID) that will provide local food options and several popup storefronts for other local businesses. It is located across the street from the new city hall facility at 1 Jackson Square and will serve city employees and local residents in the area. All construction will be managed by the City. As a result the City must take ownership of the property for purpose of this specific project.

I certify that all the facts presented herein are accurate.

Signature of Department Director

January 17, 2019
Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 19-008
TITLE: 3.B JAN 24 2019 4.B FEB 14 2019

Ordinance authorizing the acquisition of Block 22502, Lots 36 and 37,
more commonly known by the street address of 347-349 & 351-355 Martin
Luther King Drive, respectively from the Jersey City Redevelopment
Agency.

RECORD OF COUNCIL VOTE ON INTRODUCTION JAN 24 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 14 2019 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>PRINZ AREY</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 14 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 24 2019
Adopted on second and final reading after hearing on FEB 14 2019

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on FEB 14 2019

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando K. Lavarro, Jr., Council President

Date FEB 14 2019

APPROVED:

Steven M. Fulop, Mayor

Date FEB 19 2019

Date to Mayor FEB 15 2019

City Clerk File No. Ord. 18-128

Agenda No. 3. A 1st Reading

Agenda No. 4. C 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 18-128

TITLE:

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO
EXECUTE A LEASE AGREEMENT FOR A TERM OF ONE YEAR WITH
LM PLAZA 4A PARKING LLC FOR THE USE OF TWENTY-NINE
PARKING SPACES LOCATED AT 135 GREENE STREET**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City ("City") requires twenty-nine (29) parking spaces for the City personnel working at 30 Montgomery Street; and; and

WHEREAS, LM Plaza 4A Parking LLC ("Lessor"), with a business address of 307 Seventh Avenue, Suite 407, NY 10001, owns a parking facility located at 135 Greene Street; and

WHEREAS, Lessor agrees to lease to the City twenty-nine (29) reserved parking spaces at 135 Greene Street for a monthly rent of \$260.87 per parking space per month for a total monthly rent of \$7565.23; and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) authorizes the City to acquire real property by lease; and

WHEREAS, Lessor agrees to lease the parking spaces to the City for a maximum term of one (1) year with a start date of August 1, 2018; and

WHEREAS, the City shall indemnify Lessor against any claims arising from the City's use of the parking spaces; and

WHEREAS, the parking spaces leased by the City will be exempt from the City's tax on parking lot spaces pursuant to section 304-1 et seq. of the City Code and the City's fees for parking lots and public garages pursuant to section 160-1(Y.1) et seq. of the City Code; and

WHEREAS, the City will have the right to terminate the Lease Agreements without cause by providing thirty (30) days' written notice; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(e), the execution of the leases shall be subject to the availability and appropriation of sufficient funds in the 2018 fiscal year temporary and permanent budgets and in subsequent fiscal year budgets.

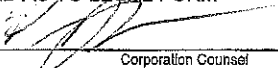
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The Mayor or Business Administrator is authorized to execute the Lease Agreements substantially in the form attached hereto with Lessor for twenty-nine (29) reserved parking spaces located at 135 Green Street.
2. The term of Lease Agreement shall be effective for a maximum of one (1) year upon execution by City officials with a start date of August 1, 2018.

3. The City will have the right to terminate the Lease Agreement without cause by providing thirty (30) days' written notice.
4. The monthly rents for reserved parking spaces shall be \$260.87 per parking space per month for a total monthly rent of \$7565.23 to be paid to Lessor.
5. The City shall indemnify the Lessor against any claims arising from the City's use of the parking spaces.
6. The parking spaces leased by the City will be exempt from the City's tax on parking lot spaces pursuant to section 304-1 et seq. of the City Code and the City's fees for parking lots and public garages pursuant to section 160-1(Y.1) et seq. of the City Code.
7. Pursuant to N.J.A.C. 5:30-5.5(e), the execution of the leases shall be subject to the availability and appropriation of sufficient funds in the 2017 fiscal year temporary and permanent budgets and in subsequent fiscal year budgets.

JMcK
11/1/2018 - Draft 4

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: 

Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET - CONTRACT AWARD

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO EXECUTE A LEASE AGREEMENT FOR A TERM OF ONE YEAR WITH LM PLAZA 4A PARKING LLC FOR THE USE OF TWENTY-NINE PARKING SPACES LOCATED AT 135 GREENE STREET

Project Manager

Department/Division	Business Administrator	
Name/Title	Brian Platt	Business Administrator
Phone/email	(201) 547-5147	BPlatt@jenj.org

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Contract Purpose

For authorization to execute the Lease Agreements with Lessor for twenty-nine (29) reserved parking spaces located at 135 Greene Street to be used by City employees working at 30 Montgomery Street.

Cost (Identify all sources and amounts)

29 Spaces at \$260.67/month per space
TOTAL MONTHLY: \$7,565.23

Contract term (include all proposed renewals)

One year commencing on August 1, 2018

Type of award


If "Other Exception", enter type

See Additional Information below

Additional Information

The parking spaces leased by the City will be exempt from the City's tax on parking lot spaces pursuant to Section 304-1, et seq. of the City Code and the City's fees for parking lots and public garages pursuant to Section 160-1(Y.1) et seq. of the City Code.

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date

LEASE AGREEMENT

This **AGREEMENT** made this ____ day of _____, 2018, between the **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey, with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302 (the “City” or “Tenant”) and **LM PLAZA 4A PARKING LLC** with offices at of 307 Seventh Avenue, Suite 407, New York, NY 10001 (the “Landlord”).

WHEREAS, the City requires parking facilities for City employees who work at office space located at 30 Montgomery Street; and

WHEREAS, the Landlord owns a parking facility at 135 Green Street that shall include twenty-nine (29) parking spaces reserved for City employees (the “Facility”); and

WHEREAS, the Landlord agrees to lease to the City the Facility for a rent of \$260.87 per parking space per month for a total monthly rent of \$7,565.23; and

WHEREAS, the City and Landlord desire to enter into this lease agreement for a term effective as of August 1, 2018 through July 31, 2019; and

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

ARTICLE I

Premises

Landlord does hereby lease to the City and the City does hereby rent from the Landlord twenty-nine (29) parking spaces in the Facility located at 135 Green Street.

ARTICLE II

Term

This lease agreement shall be effective as of August 1, 2018 until July 31, 2019.

ARTICLE III

Use

Under the terms of this lease, the City shall have the right to use and occupy the Facility for employee parking.

ARTICLE IV

Payment of Rent

The City agrees to pay the Landlord a monthly rent of \$260.87 per parking space per month for a total monthly rent of \$7,565.23, payable on the first day of each month. Payments must be mailed to Landlord's office at 307 Seventh Avenue, Suite 407, New York, NY 10001.

ARTICLE V

Indemnification

The City agrees to assume to defend and indemnify the Landlord against any third party claim of loss or damage to property or injury to or death, including wrongful death of persons, arising out of the City's use of the Facility permitted herein that is not due to the recklessness or negligence of Landlord, its agents, employees, and/or officials. The City shall, at no cost or expense to the Landlord, defend the Landlord against such claims. The Landlord shall not concede, settle or compromise any claim without obtaining express permission in advance from the Corporation Counsel of the City which shall not be unreasonably withheld.

ARTICLE VI

Termination

The City shall have the right to terminate the lease without cause by providing thirty (30) days' written notice prior to the effective date of termination.

ARTICLE VII

Validity of Lease

The terms, conditions, covenants, and provisions of this Lease shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

ARTICLE VIII

Notices

All notices required under the terms of this Lease shall be given and shall be complete by mailing such notices by certified mail, return receipt requested, or by hand delivery to the addresses below:

City:

City of Jersey City
Brian Platt, Business Administrator
City Hall
280 Grove Street, Room 108
Jersey City, New Jersey 07302

Licensor:

LM Plaza 4A Parking LLC
307 Seventh Avenue, Suite 407
New York, NY 10001

ARTICLE IX

Entire Contract

This lease contains the entire agreement between the parties. No representative, agent, or employee of the Landlord has been authorized to make any representations or promise with reference to the within to vary, alter, or modify the terms hereof. No additions, changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by the Landlord and the City.

ARTICLE X

City Parking Taxes and Fees

The Facility rented by the City will be exempt from the City's tax on parking lot spaces pursuant to section 304-1 et seq. of the City Code and the City's fees for parking lots and public garages pursuant to section 160-1(Y.1) et seq. of the City Code.

IN WITNESS WHEREOF, the parties to this agreement have executed this Lease Agreement as of the _____ day of _____ 2018.

ATTEST:

CITY OF JERSEY CITY

ROBERT BYRNE
City Clerk

ROBERT KAKOLESKI
Business Administrator

WITNESS:

LM PLAZA 4A PARKING LLC

By: _____

By: _____

Title: _____

Title: _____

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 18-128

TITLE: 3.A NOV 7 2018 4.C. FEB 14 2019

Ordinance authorizing the City of Jersey City to execute a lease agreement for a term on one year with LM Plaza 4A Parking LLC., for the use of twenty-nine parking spaces located at 135 Greene Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION NOV 07 2018 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	ABSENT		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING NOV 20 2018 9-0											
Councilperson RIVERA moved, seconded by Councilperson ROBINSON to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI
JEANNE DALY

Tabbed 9-0 after the close of the public hearing on a motion by Lavarro, seconded by Solomon

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson moved to amend* Ordinance, seconded by Councilperson & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE FEB 14 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on NOV 07 2018
Adopted on second and final reading after hearing on FEB 14 2019

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 14 2019

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date FEB 14 2019

APPROVED:

Steven M. Fulop, Mayor
Date FEB 19 2019

Date to Mayor FEB 15 2019